2: Hudson E-4, 5 (1936) 1938 RQ2 Kazak RQ2

423 Allowance must also be made for considerable variation over so large an area and among such large numbers of groups. It must be taken into consideration too that the average informant has very little idea of the functioning of his culture beyond his own immediate milieu; the procedure, for example, by which the larger units came into occupancy of their grazing areas would be matters of high politics far removed from the knowledge of the ordinary man. In general one may say that there was no private property in grazing lands, that the larger groupings occupied the traditional areas which had been used by their ancestors before, that conflicts between such groups were settled usually by consultation and that within the boundaries of such areas family groups moved with considerable freedom subject to some pressure from local leaders and with a tendency to occupy the same spot year after year.[30]

The winter habitations, the meadows (kol) where hay was cut, and the agricultural lands may be considered as in effect private property. Grodekov says[31] that land was not considered as the property of particular individuals but belonged to them only while they were occupying and using it. Dingelstedt[32] theorizes upon this point in saying that although they did not recognize private property in land they conceded the usufruct of it in perpetuity to that individual who had improved it by constructing a house or developing an agricultural plot or irrigation system. It is doubtful, however, if the Kazak were concerned with such delicate legal distinctions. In practice one might sell one's winter dwelling, and on the death of the owner it was inherited by his youngest son.[33] One might even, according to my information, sell such property to a member of another uru.

The status of the meadow lands for raising hay is less definite, as might be expected, as a result of the recent growth of the custom of storing up winter fodder. The *Kazaki*[34] states definitely that they were the property of individual owners. My informants were less clear on the point, declaring at various times in relation to different incidents that they belonged to an entire uru, to the rich men in the uru, and finally that in theory they belonged to the uru but were for all practical purposes divided among its wealthiest and most [685] important members. Their private ownership is made clear by the fact that it was a serious act, involving the payment of damages, for any unauthorized person to take hay from land not his own. Also, in the case of a large meadow divided among several owners the portions belonging to each were delimited by shallow trenches or by piles of stones at the corners. [246] It was a matter of common knowledge who owned each section. The hay was cut and stored for the winter by the hired laborers of the owner or by his relatives working for him. A man who owned no hay fields of his own might turn his animals out to graze for

[30] Questions of the occupancy and utilization of the land during the period of Russian domination have been discussed by Pálosi, *Question de la terre*, 472–87.

[31] *Kirgizy i Karakirgizy*, 102.

[32] *Le Droit coutumier*, 213–14.

[33] See also Radlov, *Aus Sibirien*, 1: 416.

[34] Baronov, Bukeikhan and Rudenko, *Kazaki*, 9.